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January 3, 2022

Honorable Sidney H. Stein
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

MEMO ENDORSED

CONSENT Motion for Schedule Change

RE: United States v. Lessage Jean Baptiste, 15 Cr. 854 (SHS)

Your Honor:

I am writing to respectfully request a modification of the schedule we set at the last conference in this case. I apologize for again seeking further time to resolve how my client wishes to proceed with the sentencing in this matter, but the pandemic has presented some new problems.

I am requesting that the joint letter, due January 5, 2022, by the government and myself stating whether we will be requesting a "Fatico" hearing in this matter be postponed by two weeks. The reason is that with the outbreak of the Omicron version of the Covid-19 pandemic all attorney visiting to the Metropolitan Detention Center has been cancelled, and I have discovered that it is also difficult to arrange telephonic or video conferences (they require a lot of lead time and then frequently get cancelled). I have not, therefore, had time to discuss as fully as I would like the advantages and disadvantages of requesting a Fatico hearing or persisting in some of the objections to the Pre-Sentence Report which were filed before I came into the case.

I have discussed this with AUSA Jason Swergold, who is handling this matter on behalf of the government, and he has no objection to this request.

I thank the Court for Your Honor's consideration of this application.

Sincerely,

/s/ Thomas H. Nooter

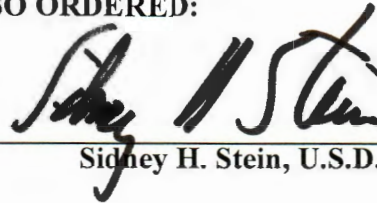
Thomas H. Nooter
Attorney for Defendant

cc: AUSA Jason Swergold, by ECF

The joint letter is due January 19, 2022.

Dated: New York, New York
January 3, 2022

SO ORDERED:

A handwritten signature in black ink, appearing to read "Sidney H. Stein", is written over a horizontal line.

Sidney H. Stein, U.S.D.J.